



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

February 26, 1991

OFFICE OF
SOLID WASTE AND EMERGENCY
RESPONSE

Mr Wallace Putkowski
Carbon Service Corp.
52 Fairview Drive
Lehighton, PA 18235-9081

Dear Mr. Putkowski:

Thank you for your January 21, 1991 letter to the Environmental Protection Agency (EPA) in which you question whether EPA's requirement for a 30 day prior notification to the implementing Agency is really necessary before closing an underground storage tank (UST). You point out that this can result in a delay in proceeding with construction that can prove costly to small operators.

Let me state for the record that EPA's regulatory requirements calling for prior notice of 30 days before closing an UST are simply intended to allow State or local agencies sufficient time to inform the operator of what closure requirements to follow and to perhaps enable arrangement of an on-site visit by a local inspector during closure. Our intent was not to automatically delay closure actions 30 days and thereby increase the construction and rent costs of small operators.

Our regulations do allow State programs to seek approval to substitute their own requirements for EPA's, including employing different approaches to this notification before closure requirement. You may want to direct your concern about the need for change or flexibility in this area to your State's UST program.

The States are the focal point for implementation of this program, and perhaps they already have an alternative procedure in place in your State. The key is that proper closure steps be followed and the implementing agency be given an opportunity to advise or oversee this work before it is undertaken. Thirty day prior notice appears to be reasonable from a national perspective, however, we fully intend to be flexible about allowing different State requirements on this issue, including State approaches that allow for shorter notification periods.

I suggest you contact the State UST program directly on this point:

Foster Diodato
PA Department of Environmental Services
Bureau of Water Quality Management
Non-Point Source and Storage Tanks Section

12th Floor Fulton Building P.O. Box 2063
Harrisburg, PA 17165-8761
(717) 657-4080

I hope the above information is helpful to you. We appreciate and encourage your spirit of cooperation that prompted you to write your letter.

sincerely,

David Ziegele Acting Director
Office of Underground Storage Tanks